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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES - Chairman

GARY PIERCE

PAUL NEWMAN

SANDRA D. KENNEDY

BOB STUMP

Arizona Corporation Commission

DOCKETED

JUN 30 2009

DOCKETED BY

*[Signature]*

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AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF  
WILHOIT WATER COMPANY, INC., YAVAPAI  
MOBILE HOME ESTATES SYSTEM, FOR  
RETROACTIVE APPROVAL OF A FINANCING  
APPLICATION.

DOCKET NO. W-02065A-07-0308

IN THE MATTER OF THE APPLICATION OF  
WILHOIT WATER COMPANY, INC., YAVAPAI  
MOBILE HOME ESTATES SYSTEM, FOR  
APPROVAL OF A FINANCING APPLICATION.

DOCKET NO. W-02065A-07-0309

IN THE MATTER OF THE APPLICATION OF  
WILHOIT WATER COMPANY, INC., YAVAPAI  
MOBILE HOME ESTATES SYSTEM, FOR  
APPROVAL OF A PERMANENT RATE  
INCREASE.

DOCKET NO. W-02065A-07-0311

IN THE MATTER OF THE APPLICATION OF  
WILHOIT WATER COMPANY, INC., YAVAPAI  
MOBILE HOME ESTATES SYSTEM, FOR  
APPROVAL OF A FINANCING APPLICATION  
FOR A NEW ARSENIC TREATMENT SYSTEM.

DOCKET NO. W-02065A-09-0123

PROCEDURAL ORDER

**BY THE COMMISSION:**

On June 13, 2008, the Arizona Corporation Commission ("Commission") issued Decision No. 70384 with respect to the first three dockets referred to hereinabove. Therein, the Commission approved a permanent rate increase for Wilhoit Water Company, Inc.'s Yavapai Mobile Home Estates System ("Applicant" or "Company"). The Commission's Decision also authorized the Company to file an Arsenic Cost Recovery Mechanism ("ACRM") to pay for the installation of an arsenic remediation system which cost \$36,105 that had been paid by Applicant's parent corporation, Glenarm Land Company, Inc. ("Glenarm"). However, this system failed to operate in a satisfactory manner and it became necessary for the Company file a new financing application in Docket No. W-02065A-09-0123 seeking additional long-term financing approval from the Commission to borrow

1 \$320,000 from the Water Infrastructure Financing Authority ("WIFA") to fund the design, purchase  
2 and installation of a new arsenic treatment system which is to be paid for by utilizing an Arsenic  
3 Remediation Surcharge Mechanism ("ARSM"). Concurrently with the filing of its new financing  
4 application, the Company, on March 17, 2009, pursuant to A.R.S. § 40-252, filed a request with the  
5 Commission to amend Decision No. 70384 to allow for an ARSM in lieu of the ACRM as originally  
6 approved in the Decision.

7 On April 7, 2009, at the Commission's staff meeting, the Commission voted to re-open  
8 Decision No. 70384 consistent with the Company's request for the amendment of Decision No.  
9 70384.

10 On May 14, 2009, by Procedural Order, a hearing concerning the Company's application in  
11 Docket No. W-02065A-09-0123 and the amendment to Decision No. 70384 was scheduled to  
12 commence on July 9, 2009, at the Commission's offices in Phoenix, Arizona.

13 As of the date of this Procedural Order, there is no state budget in place for fiscal year 2010,  
14 which begins July 1, 2009. Given the possibility of a State shutdown and in an effort to ensure that  
15 the parties and other interested persons do not unnecessarily travel to the Commission's offices for  
16 the hearing, it is appropriate to require the parties and other interested persons to telephone the  
17 Commission's Hearing Division on July 8, 2009, to determine whether the Commission is operating  
18 and whether the hearing will take place as scheduled.

19 IT IS THEREFORE ORDERED that the parties and other interested persons who intend to  
20 attend the hearing in this matter shall call the Commission's Hearing Division, at (602) 542-4250,  
21 between the hours of 8:00 a.m. and 5:00 p.m. on July 8, 2009, to determine whether the Hearing  
22 Division is operating and whether the hearing on July 9, 2009, will take place as scheduled.

23 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized  
24 Communications) applies to this proceeding and shall remain in effect until the Commission's  
25 Decision in this matter is final and non-appealable.


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1 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,  
2 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
3 ruling at hearing.

4 DATED this 30<sup>TH</sup> day of June, 2009.

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MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

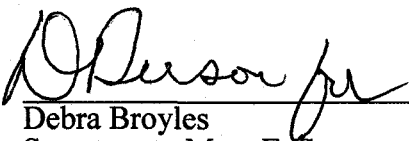
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10 Copies of the foregoing mailed/delivered  
this 30<sup>TH</sup> day of June, 2009 to:

11 Douglas G. Martin  
Jim West  
12 MARTIN & BELL, L.L.C.  
365 East Coronado Road, Suite 200  
13 Phoenix, Arizona 85004

14 Janice Alward, Chief Counsel  
Legal Division  
15 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
16 Phoenix, AZ 85007

17 Ernest G. Johnson, Director  
Utilities Division  
18 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
19 Phoenix, AZ 85007

20 ARIZONA REPORTING SERVICE, INC.  
2200 North Central Avenue, Suite 502  
21 Phoenix, AZ 85004

22  
23 By:   
Debra Broyles  
24 Secretary to Marc E. Stern  
25  
26  
27  
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